

**Haringey Modern Slavery
Practitioner's Handbook
January 2021**

Contents

1. Purpose	3
2. Glossary	4
3. What is Modern Slavery?	6
4. Spotting the Signs	12
5. Initial risk assessment	18
6. Referring victims to the National Referral Mechanism	20
7. Victim Support	32
8. Negative RG or CG Decisions	34
9. Post NRM Support	36
10. Bi-monthly check ups and re-assessments	38
Annex A: Child-specific indicators of modern slavery	38
Annex B: Duties Under the Care Act 2014	41

1. Purpose

Modern slavery is the exploitation and control of one person by another. It is a varied, international and often hidden crime which includes human trafficking, sexual exploitation and forced labour.

The purpose of this handbook is to:

1. Provide guidance for Haringey staff who interact with victims of modern slavery
2. Equip staff to spot the signs of a victim of modern slavery
3. Provide staff with the tools to assess the needs and risks of a potential victim
4. Outline how to refer potential victims to the National Referral Mechanism
5. Provide guidance on how to support a victim to long term recovery

Victims of modern slavery are highly vulnerable and have complex needs. Any support provided by the London Borough of Haringey should follow the national frameworks and suggested best practice outlined in this handbook. This is a working document is subject to review and change.

This document has drawn largely on the following guidance:

[Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020](#)

[Human Trafficking Foundation et al, The Slavery and Trafficking Survivor Care Standards, 2018](#)

[Human Trafficking Foundation, Adult Modern Slavery Protocol for Local Authorities](#)

2. Glossary

Adult: is any person aged 18 or over where there are no reasonable grounds to believe that person may be under 18

Child: is any person under the age of 18. Where there are reasonable grounds to believe a person may be under 18 it is presumed they are a child unless and until their age is otherwise determined, for example, by an age assessment carried out by a Local Authority

Conclusive Grounds Decision: During the 45 day reflection and recovery period the Single Competent Authority decides whether, on the balance of probabilities, there are sufficient grounds to decide that the individual being considered is a victim of modern slavery

County Lines: a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more areas within the UK, using dedicated mobile phone lines. They exploit children and vulnerable adults to move and store the drugs and money.

Discretionary Leave: refers to leave granted outside of the Immigration Rules based on the individual circumstances of the victim.

Duty to Notify: is the duty placed on public authorities in England and Wales by section 52 of the Modern Slavery Act 2015 to notify the Secretary of State when encountering a potential victim of Modern Slavery. In practice, this is discharged by informing the Home Office

First Responder: First Responders are responsible for identifying and interviewing potential victims of human trafficking. All those working in local authorities are First Responders.

First Responder Organisation: means an authority that is authorised to refer a potential victim of modern slavery into the National Referral Mechanism

Forced Labour: is when a person is coerced to work using violence or intimidation, or by more subtle means such as debt bondage.¹ This form of modern slavery has been found in a number of different industries including manufacturing, agriculture, and hospitality.

Human Trafficking: The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Independent Child Trafficking Guardians/Advocates: are individuals appointed to provide an independent service through a contract with the Home Office. The ICTG

¹ International Labour Organisation, https://www.ilo.org/global/topics/forced-labour/news/WCMS_237569/lang-en/index.htm

service provides somebody who can speak up on behalf of, and act in the best interests of a child victims of trafficking.

Modern Slavery: refers to both human trafficking and slavery, servitude, and forced or compulsory labour

MS1 Form: If a potential victim has not consented to enter the NRM, you must send an 'MS1: notification of a potential victim of modern slavery form' to the Home Office instead of an NRM referral form.

National Referral Mechanism: refers to the UK's framework for identifying and supporting victims of modern slavery. It is one means of ensuring that adult victims receive the necessary support and assistance in the period immediately after their identification as a potential victim

Potential Victim: is an individual who is suspected of being a victim of modern slavery. They may have received a positive Reasonable Grounds decision but will not yet have received a Conclusive Grounds decision from the Single Competent Authority

Reasonable Grounds Decision: is a decision taken by the Single Competent Authority as to whether the decision maker suspects but cannot prove that the individual being considered is a victim of modern slavery

Recovery Needs Assessment: refers to the process for assessing and making recommendations for ongoing support to be provided to confirmed victims, whether through the VCC or other services

Recovery and Reflection Period: refers to the period from the date of a positive Reasonable Grounds decision until a Conclusive Grounds decision is made which will be at least 45 days

Servitude: like slavery, involves a person being under an obligation to provide a service which is imposed on them, but unlike slavery, there is no element of ownership.

Single Competent Authority: refers to the UK's decision-making body that is responsible for making Reasonable Grounds decisions and Conclusive Grounds decisions regarding individuals referred as potential victims of modern slavery

Slavery: Slavery is an umbrella term for activities involved when one person obtains or holds another person in compelled service.

Victim Care Contract: refers to the Home Office contract to provide care to adult victims of modern slavery in England and Wales

Voluntary Returns Service: refers to a Home Office service that supports individuals to return to their country of origin either through financial means or support in kind.

3. What is Modern Slavery?

- 3.1. Modern slavery is a largely invisible crime with far reaching and long-lasting impacts for its victims. It refers to the exploitation of people who have been forced, deceived, or coerced into a life of labour and servitude and is a crime under the UK Modern Slavery Act, 2015.

Traffickers seek people who are vulnerable and easy to exploit. Any situation in which a person is vulnerable or insecure could lead to an opportunity for exploitation. Modern slavery flourishes in the wake of war, political unrest, famine, and natural disasters. Another such situation is economic downturn. When there are decreases in employment options, people are more susceptible to forced labour and exploitation. Workers with fewer options are more likely to be coerced.²

In the UK, those who are more vulnerable to poverty and social exclusion are more likely to be victims of exploitation. For example, the overall increase in homelessness has increased the number of people vulnerable to trafficking, as rough sleepers are likely to be recruited into exploitative labour situations.³

It is estimated that 40.3 million people are in modern slavery worldwide, this includes 24.9 million in forced labour and 15.4 million in forced marriage. In the UK this figure is estimated to be between 10,000 and 130,000, although this a conservative estimate and others estimate the figure is closer to 136,000⁴. The cost of modern slavery is estimated to be between 3.3 and 4.3 billion⁵.

In 2019, 10,627 potential victims of modern slavery were referred to the National Referral Mechanism (NRM), a 52% increase from 2018⁶. The most common form of modern slavery in the UK is sexual exploitation for women and girls and labour exploitation for men and boys.

² International Labour Office, Profits and Poverty, the economics of forced labour, 2014, p30

http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf

³ The Anti Trafficking Monitoring Group, Before Harm is Done, 2018, p47 <https://www.antislavery.org/wp-content/uploads/2018/09/Before-the-Harm-is-Done-report.pdf#:~:text=Before%20the%20Harm%20is%20Done%20Examining%20the%20UK%E2%80%99s,and%20civil%20society%2C%20and%20its%20international%20work%20on>

⁴ The Global Slavery Index, United Kingdom, <https://www.globalslaveryindex.org/2018/findings/country-studies/united-kingdom/>

⁵ The economic and social costs of modern slavery: Research Report 100. The Home office 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729836/economic-and-social-costs-of-modern-slavery-horr100.pdf

⁶ Home Office, National Referral Mechanism Statistics UK, End of Year Summary 2019, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876646/national-referral-mechanism-statistics-uk-end-of-year-summary-2019.pdf

Modern slavery is an umbrella term encompassing human trafficking slavery, servitude and forced labour.

3.2. Someone is in **slavery** if they are:

- Forced to work through mental or physical threat
- Owned or controlled by an ‘employer’ usually through mental or physical abuse or threat of abuse
- Dehumanised, treated as a commodity or bought and sold as ‘property’
- Physically constrained or have restrictions placed on their freedom⁷

3.3. **Servitude**, like slavery, involves a person being under an obligation to provide a service which is imposed on them, but unlike slavery, there is no element of ownership.

3.4. **Forced labour** is when a person is coerced to work using violence or intimidation, or by more subtle means such as debt bondage.⁸ This form of modern slavery has been found in a number of different industries including manufacturing, agriculture, and hospitality.

3.5. **Human trafficking** is when people are moved and forced into exploitation. The movement could be international but also within the country. A person is a victim of human trafficking even if they have not yet been exploited but have been moved for the purposes of exploitation

Human trafficking consists of three basic components: **action**, **means** and **purpose** of exploitation. All three components must be present in an adult trafficking case; for child trafficking the ‘means’ component is not required

Figure 1: The components of adult trafficking according to the UNHCR ⁹

The Action of...	Which is achieved by the Means of...	For the Purpose of exploitation, which may be...
Recruitment	The threat or use of force	Sexual exploitation
Transportation	Abduction	Forced labour or services
Transfer	Fraud	Slavery

⁷ Unseen, www.unseenuk.org/about/the-problem/modern-slavery

⁸ International Labour Organisation, https://www.ilo.org/global/topics/forced-labour/news/WCMS_237569/lang-en/index.htm

⁹ UNHCR, Guidelines on International Protection, The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked, 2006, <https://www.unhcr.org/443b626b2.html>

Harbouring	Deception	Servitude
Receipt	The abuse of power or of a position of vulnerability	Forced criminality
	The giving or receiving of payments or benefits	Organ harvesting

A person can be trafficked from abroad, within the UK, between cities or from one street to another. Over half of victims of modern slavery in the UK are British Nationals who have been internally trafficked.¹⁰ Under the Convention on Action Against Trafficking in Human Beings, a person is a victim even if they have not been exploited yet.

In human trafficking cases, exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and removal of organs. Some people may not be victims of human trafficking but still victims of modern slavery if they have been subject to slavery, servitude and forced or compulsory labour.

Human trafficking is not the same as human smuggling, however, people who have been smuggled sometimes go on to become victims of modern slavery. There are common myths about modern slavery, such as misconceptions that UK nationals cannot be victims and that a person cannot be a victim if they reject offers of help.

- 3.6. Whilst both adults and children are victims of multiple exploitation types, high numbers of children are forced into criminal exploitation. Agencies in the UK including the Home Office¹¹, police and local authorities¹² are increasingly viewing young people involved in ‘County Lines’ as victims of modern slavery¹³ - an issue we know is particularly prevalent in Haringey¹⁴.

Certain groups of children are more vulnerable to modern slavery, especially those without parents or guardians. This includes the following groups¹⁵:

¹⁰ Modern slavery is closer than you think. Gov.UK.2014. <https://www.gov.uk/government/publications/modern-slavery-closer-than-you-think>

¹¹ Criminal Exploitation of children and vulnerable adults: County Lines guidance. Home Office. 2018. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/863323/HOCCountyLinesGuidance_-_Sept2018.pdf

¹² County Lines- YouGov survey. 2019. London Councils. www.londoncouncils.gov.uk

¹³ County lives. Responding to children who are criminally exploited. 2019. The Children’s Society. <https://www.childrenssociety.org.uk/sites/default/files/counting-lives-report.pdf>

¹⁴Young People at Risk Strategy. Haringey Council. 2019. https://www.haringey.gov.uk/sites/haringeygovuk/files/young_people_at_risk_strategy.pdf

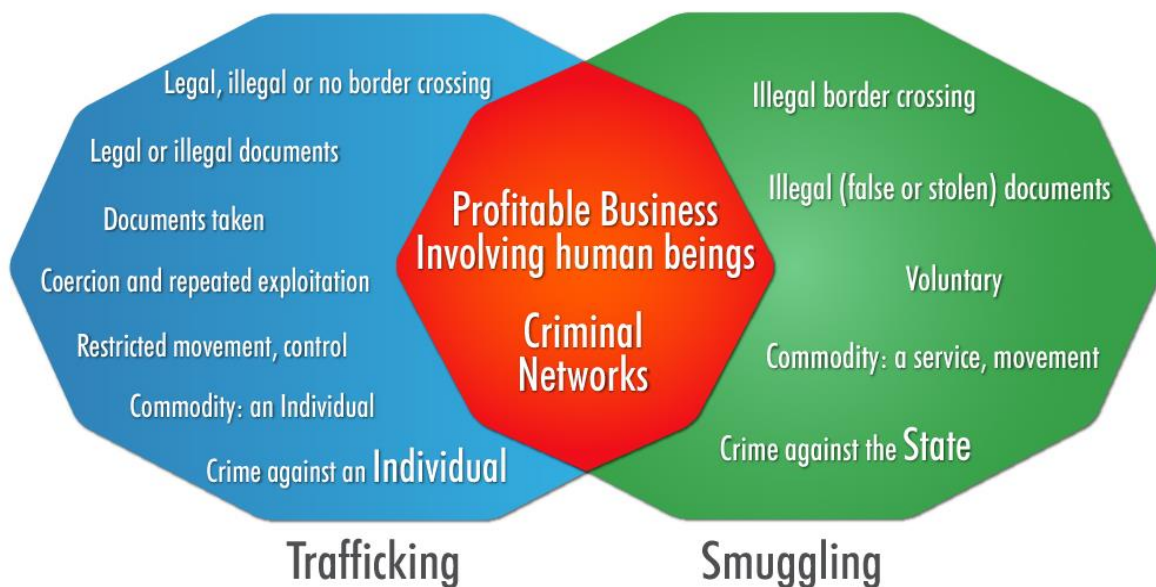
¹⁵ ECPAT, Partnership Against Child Trafficking (PACT) Project <https://www.ecpat.org.uk/Handlers/Download.ashx?IDMF=d9cbd5c4-be2f-4bb0-afe3-ab91c03ac8b3>

- Unaccompanied and separated children. This group may come to the UK seeking asylum (unaccompanied asylum seeking children – UASC) or they may be here to attend school or join their family. A child may also be the subject of a private fostering arrangement.

Children can be referred to local authority children’s social care after applying for asylum. If a child disappears, it could be an indicator that they are a victim of trafficking.

- Accompanied children. A number of children arrive in the UK accompanied by adults who are either not related to them or in circumstances that raise child protection concerns. Sometimes children can be trafficked as part of a family group.
- Missing children. There is a high risk that trafficked children who are being looked after may go missing. It has been reported that between 27% and 60% of trafficked children go missing.¹⁶

Figure 2: Trafficking and Smuggling: The Differences and Similarities - ADASS Modern Slavery Training¹⁷



Forms of modern slavery, many of which occur together, include:

¹⁶ Unseen, Missing Home, Providing safety to trafficked children, 2020

¹⁷ ADASS Modern Slavery Training Slide Pack

Figure 3: Types of Modern Slavery- UK Government Briefing¹⁸



SEXUAL EXPLOITATION

This includes but is not limited to sexual exploitation and sexual abuse, forced prostitution and the abuse of children for the production of child abuse images/videos. 34% of all reported trafficking victims in the UK are victims of sexual exploitation.²



DOMESTIC SERVITUDE

This involves a victim being forced to work in usually private households, usually performing domestic chores and childcare duties. Their freedom may be restricted and they may work long hours often for little or no pay, often sleeping where they work. 11% of all potential modern slavery victims in 2016 were subjected to domestic servitude.³



FORCED LABOUR

Victims may be forced to work long hours for little or no pay in poor conditions under verbal or physical threats of violence to them or their families. It can happen in various industries, including construction, manufacturing, laying driveways, hospitality, food packaging, agriculture, maritime and beauty (nail bars). Often victims are housed together in one dwelling. 47% of potential victims of Modern Slavery reported to have been exploited in the UK are subject to forced labour. 18% of all reported forced labour victims in the UK are children – an increase of 62.5% since 2015. 81% of all reported victims of forced labour taking place in the UK are male.⁴



CRIMINAL EXPLOITATION

This can be understood as the exploitation of a person to commit a crime, such as pick-pocketing, shop-lifting, cannabis cultivation, drug trafficking and other similar activities that are subject to penalties and imply financial gain for the trafficker. In the UK in 2016, 34 potential modern slavery victims were also involved in fraud or financial crime whereby perpetrators force victims to claim benefits on arrival but the money is withheld, or the victim is forced to take out loans or credit cards.⁵ Cannabis cultivation is the highest category of criminal exploitation with 33% of those being a minor at the time of referral, the majority being Vietnamese.⁶



OTHER FORMS OF EXPLOITATION

Organ removal; forced begging; forced benefit fraud; forced marriage and illegal adoption.

¹⁸ Types of Modern Slavery UK Government Briefing:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/638368/MS_-_a_briefing_NCA_v2.pdf

Legislation Context - The Modern Slavery Act 2015

The Modern Slavery Act, 2015 (the 'Act'), is the UK legislative framework for the national response to modern slavery.

Prosecution is central to the Act, which was designed to send a clear message to perpetrators that modern slavery will not be tolerated. This Act saw the maximum term for modern slavery offences increase to life imprisonment.

Under the Act, local authorities have a 'duty to notify' the Home Office of any individual they believe to be a victim of modern slavery, through an anonymous MS1 form. Information and guidance on the duty to notify can be found [here](#).

The Act requires some commercial organisations, who have an annual turnover of £36 million or more to publish an [annual modern slavery statement](#). This should include information on the companies' supply chains and the policies and procedures followed to prevent modern slavery. It is best practice for councils to publish their own modern slavery statement, something which Haringey will take forward as this plan develops.

The Act doesn't legally guarantee the support offer for victims, meaning that the status of victims and the role of some partners (including the voluntary and community sector (VCS) and health) in supporting victims lacks clarity. The Home Office have recently released [guidance on supporting and identifying victims](#) which was required under Section 49 of the Act. Section 50 of the Act also gives the Government power to produce regulations on victim support, however it is unclear whether this power will be used.

A select group of charities are designated NRM first responders, this recognised the to the important role the VCS play, which is explored later in the plan [see page 16]

The Act requires the Government to make arrangements for the provision of [Independent Child Trafficking Advocates](#) (now called Independent Child Trafficking Guardians). The role of the ICTG is to "to assist, represent and support" children who show indicators of being, or possibly being, victims of trafficking. Currently, the scheme is being piloted in early adopter sites and yet to be rolled out nationwide.

The role of public health, which includes the Department of Health (DPH) and The Association of Directors of Public health (ADPH) in addressing modern slavery is not fully articulated by the Modern Slavery Act.

The government has commissioned research that makes recommendations for how Public Health England (PHE), the DPH and the ADPH can play a greater role in the UK's response (details summarised [here](#)).

A coalition of third sector groups support the [Modern Slavery \(Victim Support\) Bill](#) which advocates for providing confirmed victims with a minimum of 12 months support and leave to remain. This Bill was produced to fill the gap in statutory support for victims of modern slavery.

Duty to notify guidance: <https://www.modernslaveryhelpline.org/learn-more/frontline-professionals/duty-to-notify>

Publish an annual modern slavery statement: <https://www.gov.uk/guidance/publish-an-annual-modern-slavery-statement>; Modern slavery and public health:

<https://www.gov.uk/government/publications/modern-slavery-and-public-health/modern-slavery-and-public-health>; Modern Slavery (Victim Support) Bill Petition: <https://www.antislavery.org/take-action/campaigns/protect-not-neglect/>

4. Spotting the Signs

- 4.1. In order to identify a potential victim of modern slavery, frontline staff who might encounter a potential victim should be familiar with the indicators set out in this section.

When considering if someone may be a victim of modern slavery, multiple indicators should be identified. These indicators may not all be obvious at first or at the same time but will likely become obvious over the course of an interaction or through several interactions.

- 4.2. As a **First Responder Organisation**, Haringey is authorised to refer potential victims into the NRM (further information on First Responders can be found in Section 6.2).

A First Responder's decision as to whether to refer a potential victim into the NRM is a decision of professional judgment based on the evidence available to them. First Responders should consider the presence of any indicators of modern slavery, including for example the non-verbal presentation of the victim, what the victim says, situational and environmental factors and objective evidence regarding known patterns of modern slavery. Not all indicators of modern slavery will be present in all situations.

In some cases, a First Responder may find it helpful to consult with other First Responders before making a decision on whether to refer someone into the NRM.

Figure 4 an outline of the general indicators of modern slavery ¹⁹

General Indicators – Victims may:	
<ul style="list-style-type: none"> • Believe that they must work against their will • Be unable to leave their work environment or home environment • Show signs that their movements are being controlled • Feel that they cannot leave • Show fear or anxiety • Be subjected to violence or threats of violence against themselves or against their family members and loved ones • Suffer injuries that appear to be the result of an assault • Suffer injuries or impairments typical of certain jobs or control measures • Suffer injuries that appear to be the result of the application of control measures • Be distrustful of the authorities • Be threatened with being handed over to the authorities • Be afraid of revealing their immigration status • Not be in possession of their passports or other travel or identity documents, as those documents are being held by someone else • Come from a place known to be a source of human trafficking • Have had the fees for their transport to the country of destination paid for by facilitators, whom they must pay back by working or providing services in the destination 	<ul style="list-style-type: none"> • Have false identity or travel documents (or none at all) • Be found in or connected to a type of location likely to be used for exploiting people • Be unfamiliar with the local language • Not know their home or work address • Allow others to speak for them when addressed directly • Act as if they were instructed by someone else • Be forced, threatened or deceived into working in poor conditions • Be disciplined through punishment • Be unable to negotiate working conditions • Receive little or no payment • Have no access to their earnings • Work excessively long hours over long periods • Not have any days off • Live in poor or substandard accommodations • Have no access to medical care • Have limited or no social interaction • Have limited contact with their families or with people outside of their immediate environment • Be unable to communicate freely with others • Be under the perception that they are bonded by debt • Be in a situation of dependence • Have acted on the basis of false promise

¹⁹ Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020, page 29, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

4.3. **Physical and psychological indicators of modern slavery²⁰**

First Responders and other frontline staff who may encounter a victim need to know about the physical and psychological signs that can indicate a person is a victim of modern slavery

Victims may be subjected to physical violence, rape and sexual abuse, deprivation of their freedom and forced, threatened, or deceived into working and/or living in poor conditions. Some victims are psychologically controlled or conditioned by their exploiters to the extent that they are unable to envisage escape.

As a result of the abuse and neglect that victims have experienced, they may develop poor physical or mental health. Existing studies on the mental health of the survivors of modern slavery show that victims suffer high levels of mental health problems such as PTSD, anxiety, and depression. One study of trafficked women in the USA found that 97% of the women who had been trafficked reported suffering mental health problems.²¹

It is important to remain observant for signs of physical injuries, health conditions and psychological trauma. However, it should also be noted that physical injuries, psychological problems and illnesses may not be obvious or visible in many cases and may not be easily disclosed by victims.

Some physical indicators may only be identified by trained medical professionals. Physical indicators of modern slavery may include:

- **Physical injuries** – these may have unclear explanations as to how or when they were sustained, they may be untreated, or partially treated, or there may be multiple or unusual scars or healed fractures
- **Work related injuries** – often through inadequate personal protective equipment or poor health and safety
- **Physical consequences of captivity, neglect, poor environmental conditions** – for example, infections including tuberculosis, chest infections or skin infections, malnutrition and vitamin deficiencies or anaemia
- **Neurological symptoms** – for example, headaches, dizzy spells, poor memory, poor concentration, problems with cognition, post traumatic epilepsy

²⁰ Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020, page 31, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

²¹ Helen Bamber Foundation, Addressing Mental Health Needs in Survivors of Modern Slavery, 2015

- **Dental problems** – from physical abuse and/or neglect of dental hygiene
- **Deterioration of pre-existing chronic medical conditions** – these may be untreated (or poorly treated) chronic conditions such as diabetes, hypertension or cancers
- **Cardiovascular or respiratory symptoms** – often chest pain, palpitations, breathlessness (may be due to anxiety, but poor health in victims means that such symptoms need exploring)
- **Gastrointestinal symptoms** – abdominal pain or health conditions related to swallowed, internally placed or ruptured packets of illegal substances.
- **Non-specific symptoms** – fatigue, weight loss, fainting
- **Chronic pain** – this can be from specific injuries or may be more generalised – “all over body pain”. Exacerbated by lack of sleep and stress. May be psychosomatic
- **Medically unexplained symptoms** – symptoms without an identifiable physical cause are common, and can be non-specific such as headaches, dizziness or back pain, or may be related to trauma to a particular part of the body, for example, abdominal pain in rape victims
- **Disfigurements** – cutting, burning, or branding may be used as a means of punishment or to indicate ownership by exploiters. Victims are sometimes forced to undergo cosmetic procedures, for example, breast implantation, use of skin lightening creams. Disfigurement can also be the result of self-harm and attempted suicide
- **Post-operative pain** – infection or scarring from organ harvesting, particularly of a kidney

4.4. Some mental health and psychological indicators may include²²:

- **Expression** – of fear or anxiety
- **Depression** – lack of interest in engaging in activities, lack of interest in engaging with other individuals, hopelessness

²² Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020, page 31, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

- **Isolation or alienation**
- **Attachment and identity issues** – can create detachments from others or an over-dependence (or both). This can include a dependency on exploiters
- **An inability to regulate emotions** – for example a persistent shifting between sadness, forgiveness, anger, aggression, frustration and/or emotional detachment or emotional withdrawal
- **Difficulties with relationships** – difficulties with trusting others (either lack of trust or too trusting) causing difficulties in relationships and difficulties assessing/addressing risks or warning signs in relationships
- **Loss of autonomy** – for example difficulty in making simple decisions, tendency to acquiesce to the views/desires of others
- **Memory difficulties** – either problems with concentration/attention or poor memory for past events e.g. 'gaps' or confusion about events
- **Dissociative episodes and re-experiencing phenomena** such as flashbacks
- **Other indicators may include:**
 - Post-Traumatic Stress Disorder
 - Hostility
 - Aggression
 - Difficulty concentrating
 - Self-harm
 - Suicidal ideation
 - An attitude of guilt, self-blame, shame or low self-esteem
 - Psychosis or the presence of hallucinations and delusions
 - Substance misuse and addictions

4.5. **Situational and environmental indicators of modern slavery²³**

First Responders and frontline staff need to know about the situational and environmental signs that can indicate a person is being exploited and is a victim of modern slavery.

²³ Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020, page 32, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

The following indicators, drawing on work by the International Labour Organization (ILO), have been identified as particularly relevant to those victims of modern slavery exploited for forced labour, domestic servitude and forced criminality. Indicators may include:

- Withheld passports or identity documents, contracts, payslips, bank information, health records
- Lack of information about rights as workers in the UK as well as support and advice services
- Lack of information about a person's rights as a visitor in the UK or a lack of knowledge about the area they live in the UK
- Acting as if coerced or controlled by another
- Going missing for periods
- Fearful and emotional about their family or dependents
- Limited English, for example only having vocabulary relating to their exploitative situation
- Restriction of movement (noting that victims are not often 'locked-up' but movement can be restricted) or being held in isolation
- Withholding wages (including deductions from wages)
- Debt bondage
- Abusive working and/or living conditions
- Excessive overtime

These lists are not exhaustive and further indicators including indicators of child victims and specific types of modern slavery can be found in Annex A.

5. Initial risk assessment

- 5.1. The safety, protection and support of the potential victim must always be the first priority.

Victims of modern slavery are a highly vulnerable group and should be treated with the same sensitivity as other vulnerable groups.

Consider what steps are needed to stabilise the individual's circumstances. Immediate needs must be addressed (food, clothing, rest etc) so they feel safe and comfortable.

Whoever identifies the potential victim (PV) of modern slavery should follow Haringey's safeguarding policy and notify the designated departmental Special Point of Contact and the Modern Slavery Coordinator. In general:

- Where there is a risk of immediate harm to the PV, the police should be contacted by calling 999
- When the PV is a child, the MASH team should be contacted. All victims, including PV of modern slavery who are under the age of 18 must be referred to Children's Social Care urgently under child protection procedures
- When the PV is an adult, they should be referred to the First Response Team.
- Do not use an accompanying person as interpreter for the PV, and where safe to do so a PV should be spoken to away from anyone accompanying them

5.2. Risk Assessment: first three hours²⁴

Within the first three hours of identifying the PV, four immediate questions must be asked:

1. Are they still being or likely to be targeted by their trafficker?
2. Are they housed?
3. Do they have income, food, and warm clothes?
4. Do they have an urgent injury or medical issue that needs attending to?

²⁴ Local Authorities' referral pathway for adult victims of modern slavery, <https://www.antislaverycommissioner.co.uk/media/1206/adult-nrm-pathway.pdf#:~:text=LOCAL%20AUTHORITIES%E2%80%99%20REFERRAL%20PATHWAY%20FOR%20ADULT%20VICTIMS%20OF,housing%2C%20subject%20to%20assessment%20if%20PV%20is%20destitute.>

5.3. **First 24 hours.**

Within the first 24 hours provide the PV information on their options. A safeguarding assessment should consider the steps needed to stabilise the PV's circumstances:

- Proximity to area of exploitation
- Contact with perpetrators
- Mental health and suicide ideation
- Substance misuse
- Physical health
- Visit the premises that they are living in to identify any risks around current accommodation
- Contact any support agency which is already in touch with the PV
- Dependents of the PV. Is the PV pregnant or does the PV have children in the UK? If so where are they now and are there any child protection risks? The children of PVs may not themselves be potential victims but must be included in any risk assessments and their wellbeing and best interests must also be considered at all times.
- Immigration and asylum status
- Language and interpretation needs
- Access to income and welfare support

5.4. **Safeguarding.** When the PV is an adult, the Adult Safeguarding Team should determine whether a safeguarding enquiry under section 42 of the Care Act 2014 is required. See Annex B for more information about duties under the Care Act.

For details on how to approach the PV and recommended questions see [Trafficking Survivor Care Standards](#)

If the PV is in immediate risk and need to be moved from the area as soon as possible, or their circumstances are such that they definitely cannot be housed for that night by the local authority or by NGOs, then it may need to be determined if the PV is willing to consent to go into the NRM immediately.

If the PV has been assessed to not be at immediate risk from traffickers and they may be able to be housed, then a needs assessment can take place, with information provided to the PV on the range of options that they are eligible for.

6. Referring victims to the National Referral Mechanism

- 6.1. **The National Referral Mechanism (NRM)** In the UK, the National Referral Mechanism (NRM) is the national framework to identify, refer and record potential victims of modern slavery and provide government-funded support for victims.

Adults must consent to being referred to the NRM, and if consent is not given the duty to notify must still be discharged. If the victim is a child, they must be referred to the NRM.

See section 6.11 for NRM decision making process.

- 6.2. **First Responders.**

Only specific agencies, known as 'First Responder Organisations', can refer into the NRM. These include the police, local authorities and specific voluntary community sector organisations. Those identifying a potential case of modern slavery who do not work for any of these would make contact with a first responder organisation in order to begin the NRM process.

The range of first responder organisations, as well as the many practitioners across the borough who may come into contact with and play a role in referring potential victims, reflects the many organisations that have a role to play in responding to modern slavery and the need for collaborative working.

A full list of first responders can be found [here](#)²⁵.

- 6.3. **Special Points of Contact**

The social worker or staff member who works the closest to the PV is responsible for completing the NRM referral.

Due to the complex nature of modern slavery and the referral process, Haringey has established a system of dedicated advisors in each department, to assist with referrals.

Modern slavery Special Points of Contact (SPoCs) is an allocated point of contact for cases of modern slavery in Haringey Council. The SPoC can provide advice on referring the potential victim to the NRM and will also alert the Modern Slavery Coordinator to the referral.

²⁵ National referral mechanism guidance adult (England and Wales). Gov.UK.2020.
<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

The referral to the NRM should only happen once the potential victim's immediate needs have been assessed and met:

1. Are they still being or likely to be targeted by their trafficker?
2. Are they housed?
3. Do they have income, food, and warm clothes?
4. Do they have an urgent injury or medical issue that needs attending to?

Once the potential victim has their immediate needs met, the SPoC should work with the allocated support worker to refer the potential victim to the NRM, as long as consent is given by the potential victim. If the potential victim does not want to be referred to the NRM, the Duty to Notify form should be completed. Information on future NRM results and appeal decisions should be communicated between the SPoC and the support worker.

6.4. Informing consent to the NRM

Consent is required for an adult to be referred to the NRM. For informed consent, you must explain:

- what the NRM is
- what support is available through it
- what the possible outcomes are for an individual being referred

If a referral to the NRM is made, the PV should be read the content of the NRM form in a language they understand before they sign the form. Consent can only be obtained after they have understood and agreed to the content. All survivors should be provided with a copy of the NRM form at the point it is submitted and know they can request copies in the future.

6.5. Capacity to consent

It should be presumed that an individual has the capacity to make a decision about whether to consent to entering the NRM. When there may be concern about a person's capacity to independently make a decision about whether or not to consent to entering the NRM, steps should be taken to try to support the individual to make the decision.

Where an adult is considered vulnerable and there are concerns that they may not have the capacity to consent to a referral to the NRM appropriate safeguarding procedures should be followed with decisions made in the best interests of the adult.

The person making the referral should therefore seek advice from social services to make a capacity assessment. If it is agreed that the PV does not have the capacity to consent, then the social worker must confirm in writing if they consider that they should be referred to the NRM. Frontline staff must forward this written confirmation to the Single Competent Authority (SCA) with the referral form explaining why the form is unsigned.

6.6. No consent to the NRM

Some victims will be unwilling to be referred into the NRM. This could be due to fear of the authorities or not thinking the referral is in their interest.

Those who do not consent can be extremely vulnerable and still need to be protected and supported.

Those who do not consent at first might consent at a later stage. For example, one safe house found that almost three fifths of women who were placed in a safe house agreed to be referred into the NRM after approximately six weeks of information, support, and reassurance that they were safe.²⁶

6.7. Duty to Notify

Local Authorities a statutory duty to notify the Home Office when they encounter potential victims of modern slavery. This duty is discharged by either referring the potential victims to the NRM or notifying the Home Office where an adult does not consent to enter the NRM. The duty to notify form can be found [here](#).

Adult potential victims who choose not to enter the NRM may still be eligible for other support. A victim who does not enter the NRM may still:

- Be in immediate risk of harm, in which case the police should be contacted by calling 999
- Be eligible for housing support through the Local Authority or be eligible for other support from the state where they have recourse to public funds.
- Be eligible to make a claim for asylum or another type of immigration status
- Be able to receive emergency medical care
- Be at risk of further exploitation

6.8. Legal Advice

²⁶ Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, <https://static1.squarespace.com/static/599abfb4e6f2e19ff048494f/t/5b164e81f950b70540256c8b/1528188554886/LWG+Local+Authorities+Modern+Slavery+Protocol+%28adults%29+-+NRM+Process+Gui....pdf>

As long as there are no immediate safeguarding risks, it is recommended that PVs obtain legal advice prior to a decision to enter the NRM so their consent can be informed and understand the legal implications.

A PV may require legal guidance due to outstanding legal, immigration or criminal issues or to advise them on possible implications of the NRM process on any asylum or other claims the PV is making or would like to make.

Legal Aid is not automatically available prior to reasonable grounds decision, but it is possible to apply for Exceptional Case Funding (ECF) for Legal Aid. Where the immigration history is complex it is recommended that an application is made for ECF by the support worker.

Applications for ECF can be sent to contactECF@legalaid.gsi.gov.uk

If the PV requires further legal advice once a reasonable grounds decision, consider referring them to the [Anti Trafficking and Labour Exploitation Unit](#).

6.9. The Referral Procedures²⁷

The referral process is delicate and must be handled carefully. Safety for both the potential victim, the SPoC and any staff involved.

Those support workers who are responsible for navigating the referral procedure should be trauma informed. Victims who have experienced trauma may find the process hugely daunting and be easily overwhelmed by the prospect of discussing their past. For this reason, the referral should only be done in circumstances where the victim is rested, not hungry or uncomfortable and feels as safe as possible.

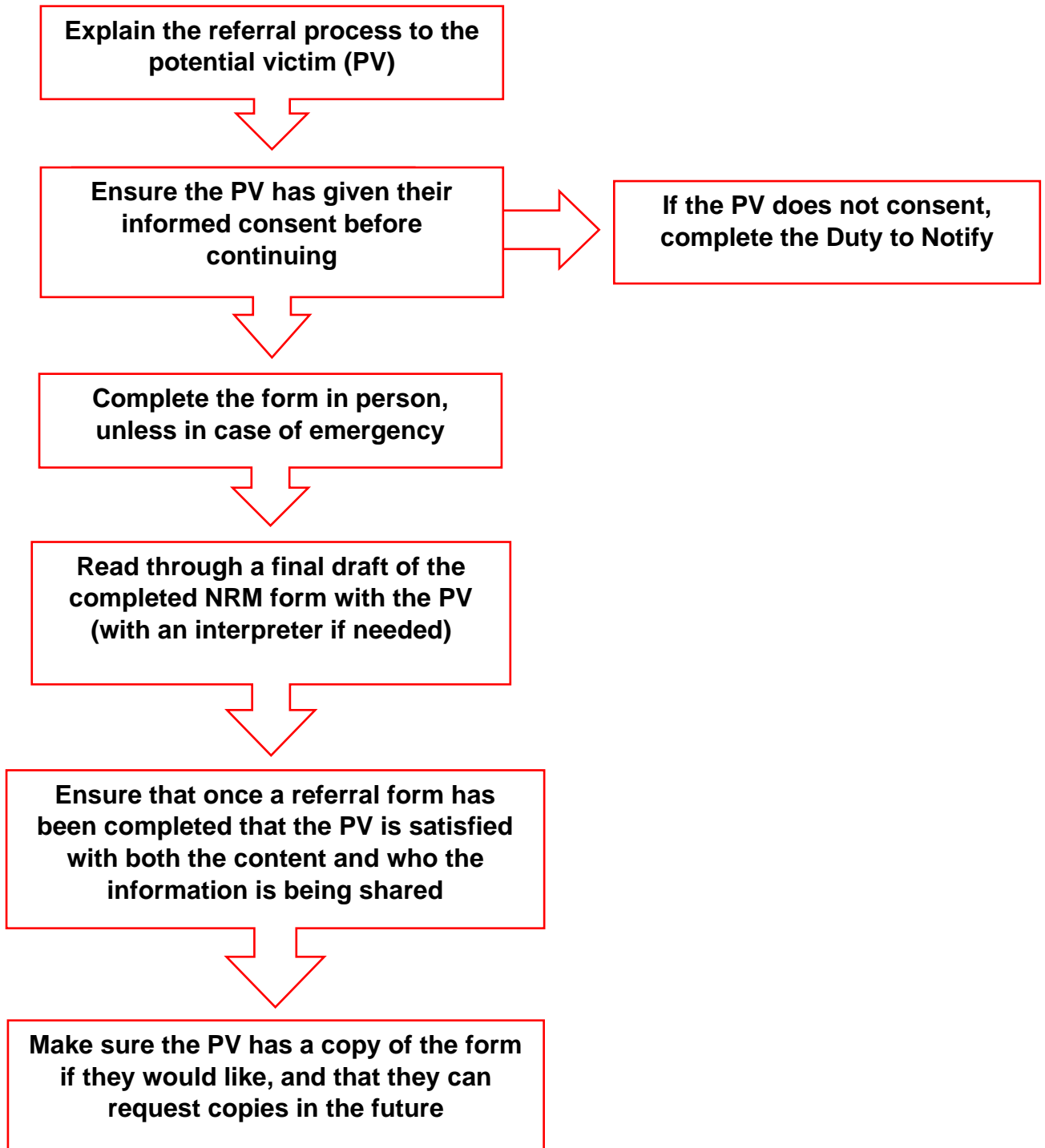
Prior to referral, the First Responder should:

- Know and understand the indicators of all forms of trafficking (see section 3)
- Act within duty of care and addressing any immediate needs and risks
- Act with the PV's informed consent
- Explain the referral process to the PV
- Make the referral in person, unless in case of emergency
- Read through a final draft of the completed NRM form with the PV (with an interpreter if needed)
- Ensure that once a referral form has been completed that the PV is satisfied with both the content and who the information is being shared

²⁷ Human Trafficking Foundation et al, Survivor Care Standards, 2018, pg 38 -41

- Make sure the PV has a copy of the form if they would like, and that they can request copies in the future.

Figure 5 Referral to the NRM process



6.10. Completing the NRM referral form

The NRM form is not to be used as an interview record but as a means for the first responder to provide as much information as possible to the Single Competent Authority (SCA).

Disclosing a full history is extremely difficult for any PV and it can take time and several sessions to find out the whole account. Over time and as trust grows, any gaps or inconsistencies in a story may be resolved.

Give as much information about the PV and their circumstances as possible. You must fully detail the reasons for the referral and circumstances in which the person was identified.

It is important to show the act, means, and purpose (see Figure 1) when outlining the victim's exploitation. The exploitation does not necessarily fit into one 'type' of exploitation.

If referral is made quickly due to circumstances, it is important to write on the NRM form that it has been carried out in haste, that this should not prejudice the decision, that there are more likely to be inconsistencies as a result, and that further information should ideally be added at a later stage once trust has been built.

The Home Office recognises that First Responders may be unable to provide significant information on the NRM referral form (e.g. where an individual is seriously traumatised). If you believe you may not have full disclosure you should note this on the form and indicate that trauma has affected the PV.

6.11. **Question areas to ask the PV²⁸:**

Situation:

- Daily activities
- Work and duties
- Transport
- Length of time in the UK (if not a UK national)

To show the act:

- Where the adult lived in their country of origin (if non UK national)
- Who arranged their travel or movement and met the PV
- If/how they paid for this

To show previous vulnerabilities:

²⁸ Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, pg15

- The previous circumstances whereby the PV exploitation such as previous accommodation, employment, finances, support networks, substances use, mental health

To show 'means' (deception or coercion):

- What were they offered in terms of work, accommodation, duties, hours/pay etc.
- Did this transpire?
- If it did were there any differences?
- Have direct or indirect threats ever been used?

To show purpose:

- What their 'employment' involved
- Nature of work
- Hours
- Accommodation
- Payment etc

To show exploitation/control:

- Their freedom of movement
- How they got to and from work
- Do they possess their ID at all times?
- How often they see their families
- Do they control their bank account?
- Do they control their accommodation?
- What prevented them from leaving?

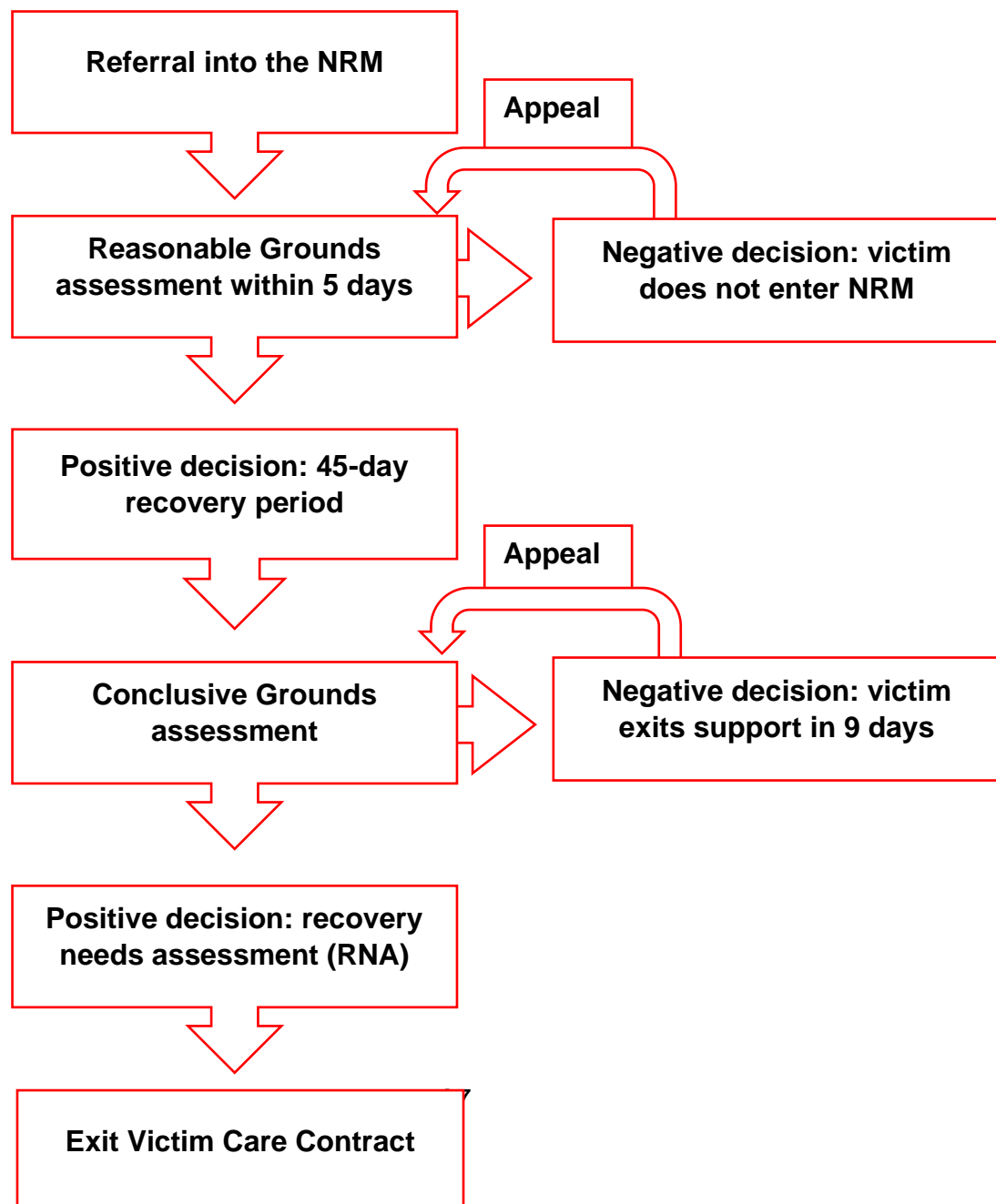
6.12. The NRM decision making process²⁹

1. The SCA considers cases of all potential victims referred to the NRM by First Responder Organisations
2. Following referral from a First Responder Organisation, the SCA will make a Reasonable Grounds (RG) decision to determine whether it 'suspects but cannot prove' that an individual is a potential victim of modern slavery. This decision should be made within 5 working days of referral, where possible.
3. Following a positive RG decision, a potential victim will receive a Recovery Period of at least 45 calendar days and will be able to receive support

²⁹ Modern Slavery Act 2015, Statutory Guidance for England and Wales, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

4. The SCA will make a Conclusive Grounds (CG) decision no sooner than 45 calendar days after the RG decision, to determine whether 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of modern slavery.
5. Victims with a positive CG decision will receive a minimum of 45 calendar days of support during the move-on support period.
6. Victims with a negative CG decision will receive support for 9 nine days before they exit the Victim Care Contract (VCC).
7. The SCA will also consider whether to issue Discretionary Leave to remain for confirmed victims who do not have a right to remain in the UK

Figure 6: The NRM decision making process



6.13. Recovery Needs Assessment (RNA)³⁰

This applies to adults only

The RNA Guidance was produced in response to the settle of the case NN and LP vs SSHD in which the Home Office conceded that providing victims of modern slavery with a positive CG decision support for only 45 days was unlawful and incompatible with the European Convention on Human Trafficking. The Home Office conceded that support provided to victims must be dependent on an individual's needs.

Under RNA, after victims receive a positive conclusive grounds decision, they undergo a further assessment (RNA) to determine how much extra support beyond the minimum of 45 days is required. The RNA assessment will determine how much, if any, extra support is required under the VCC contract, with a maximum of 6 months at time. Once the 6 months comes to an end, the VCC support worker can repeat the RNA to determine whether further support is needed for a further period of 6 months. The RNA assesses type of support as well as length of support. It assesses whether a victim needs, housing support, financial support, or a support worker. Each of these will have time period attached to them which can vary. The RNA is still be trailed and is slowly being rolled out by the Home Office.

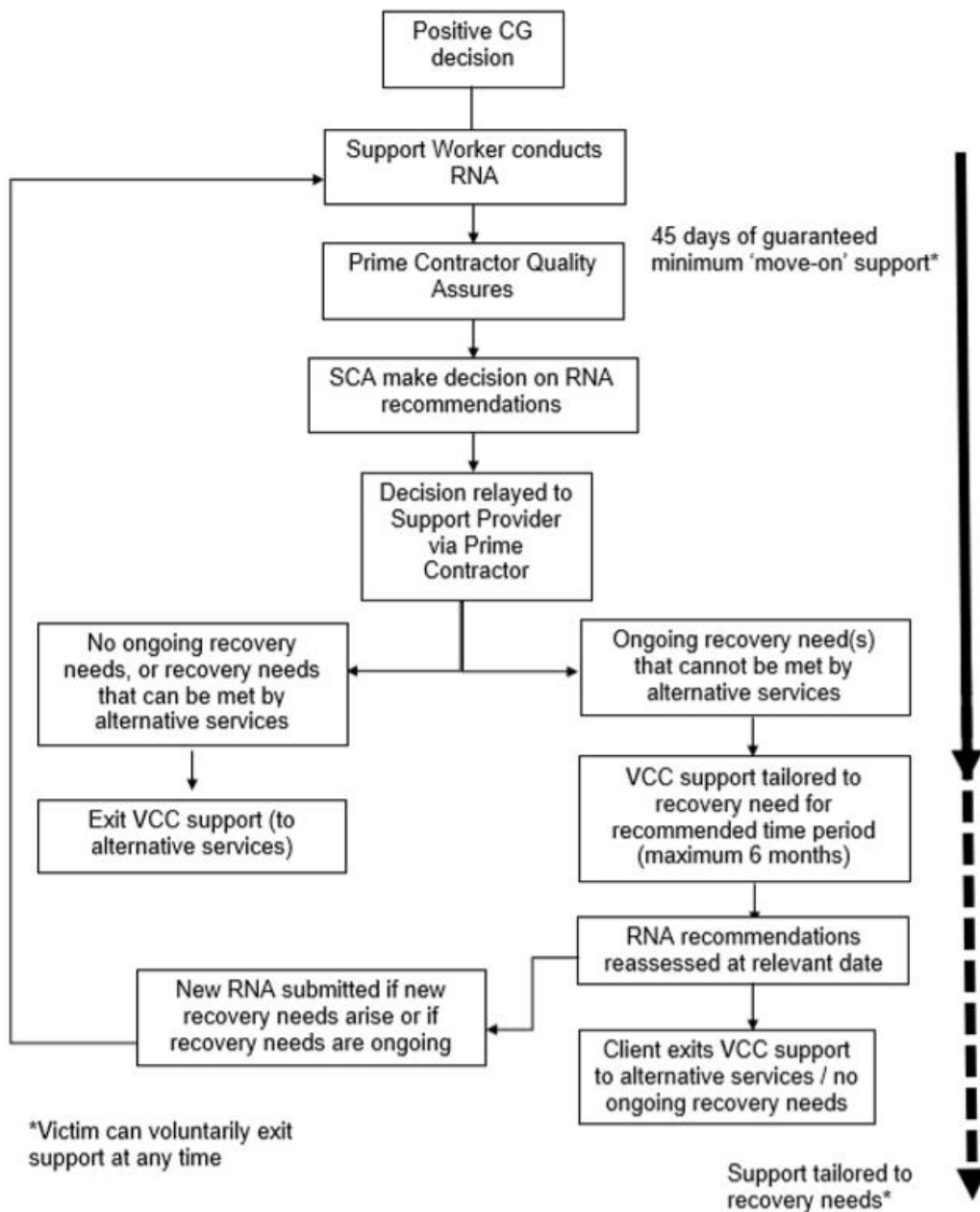
The support worker will estimate an earliest exit date from the VCC for the victim based on their needs. Upon exit, the victim will transition from the VCC to mainstream support services. However, being able to receive mainstream support services depends on having recourse to public funds. Many victims referred to the NRM are from outside the UK, and many do not have recourse to public funds. Also, when the EU exit transition period ends on 1 January 2021, any EEA victims will be without recourse to public funds.

Once a victim exits the VCC, they will transition into mainstream support which Haringey might be responsible for. The victim might already be housed by Haringey and may need referred to Haringey support such as mental health services.

The RNA allows 'exit' from mainstream services to include victims being placed on waiting lists for services. Haringey should prioritise (within reason) victims so they are not left in limbo. The average support time given to a victim is 1-2 months. Given many specialist organisations are calling for victims to be given a minimum of 12 months support, when victims come into contact with Haringey, they will still need sufficient support.

³⁰ Home Office, Recovery Needs Assessment, 2019
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834857/recovery-needs-assessment-v1.0ext.pdf

Figure 7: Recovery Needs Assessment process map³¹



³¹ Home Office, Recovery Needs Assessment, 2019, page 11
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/910458/recovery-needs-assessment-v2.0ext.pdf

6.14. Working with the Police³²

When a potential victim is identified, a report should be made to the police. The police should investigate regardless of whether the victim wishes to cooperate, but the referral should be anonymised if this is what the PV requests.

When completing the NRM form, the referrer should explain to the victim that their case, anonymously if desired, will be passed on to the police (either by the first responder themselves as well as automatically by the competent authority).

The victim is under no obligation to cooperate with the police to receive support through the NRM.

If you have concerns or queries about your local police response, contact the NCA Modern Slavery line (0844 778 2406).

6.15. Referral of Child Victims

Children must be referred to the NRM when they are suspected victims of modern slavery. First responders should also refer children to children's services who will determine whether the child is in need and are entitled to the same provision as any other looked after child. This must be done immediately as the first 24 hours are when children are at most risk of going missing.

Local authorities are the primary service provider for safeguarding child victims regardless of their nationality or immigration. Relevant child protection procedures, as set out in [Working Together to Safeguard Children 2018](#) must be followed if modern slavery is suspected.

A potential child victim of modern slavery is a potential victim of crime, all cases involving children should be referred to the police.

6.16. How is the NRM helpful for children?

- It can support more effective safeguarding and service provision once the child has been formally recognised as a victim
- Ensures children are recognised as victims rather than willing participants or criminals
- For those child victims who are going through the criminal justice system, Section 45 of the Modern Slavery Act 2015 can provide a statutory defence for victims accused of certain offences
- Can support asylum claims

³² Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, pg13

- Can improve support when the young person transitions to an adult
- Provides information to build a local and national picture of exploitation and informs campaigns and services
- Ensure perpetrators are recognised as traffickers

6.17. **Independent Child Trafficking Guardians**

Independent Child Trafficking Guardians (ICTGs) in England and Wales are an independent source of advice for trafficked children, somebody who can speak up on their behalf and act in the best interests of the child. ICTGs are available in one-third of local authorities and the Government has committed to rolling out ICTGs across England and Wales.

The service model provides:

- An ICTG Direct Worker offering one-to-one support for children for whom there is no one with parental responsibility for them in the UK
- An ICTG Regional Practice Co-ordinator offering strategic support working with professionals supporting a child who has someone with parental responsibility for them in the UK

Whilst the ICTG scheme is currently being rolled out nationwide, this is something the Government has committed to, and Haringey should prepare for by looking at best practice of the early adopter sites.³³

6.18. **Presumption of age**

Section 51 of the Modern Slavery 2015 puts on a statutory footing the presumption that, where there are reasonable grounds to believe a person is a victim of modern slavery, and it is not certain but there are reasonable grounds to believe that the person may be under 18, then the person is to be treated as being under 18 years of age for the purposes of the public authority's functions under relevant arrangements until an age assessment is carried out by a Local Authority or the person's age is otherwise determined.

³³ In January 2017, the ICTG service was introduced into three early adopter sites: Greater Manchester, Hampshire and Isle of Wight, and nationally in Wales. The Service was subsequently expanded to three additional sites to test a revised model: West Midlands Combined Authority in October 2018, followed in April 2019 by the East Midlands and the London Borough of Croydon

7. Victim Support

7.1. Safeguarding assessment

If the PV is staying in the borough or is likely to return to the borough post-NRM a safeguarding assessment should take place.

The safeguarding assessment should review the case and decide on how to meet support needs. See Annex C for recommended criteria.

Any further meetings should include representatives from safeguarding, housing, community safety, as well as the NHS, Department for Work and Pensions (DWP), police, and relevant NGOs.

7.2. Care Plan

Safeguarding teams should create a care plan based on needs, risks and safeguarding. Contact should be made with key agencies (housing/homelessness teams, adult social care, jobcentre, and GP surgeries) to ensure the needs of the PV as vulnerable adults are met and understood.

Areas to consider when drawing up a care plan:

- Safety: when considering safeguarding duties consider both the Care Act guidance³⁴ and London safeguarding procedures³⁵
- Housing: when identifying accommodation for victims who have agreed to go into the NRM, officers should consult with Homes for Haringey. If accommodation needs cannot be met, consult NGOs who can provide support services as well as The Salvation Army to decide whether it would be best for victims to be housed locally or elsewhere.

PVs will also not be able to wait several weeks or even days in many cases for accommodation. In many cases, destitution or even the risk of destitution places a PV at risk from those who have exploited them or to returning to their exploitation.

- Healthcare: PVs suffer a wide range of psychological and physical problems, including post-traumatic stress disorder. Both men and women may have been vulnerable to STIs, and both may have other physical effects as a result of sexual abuse, or may have been exposed to

³⁴ Care and support statutory guidance, <https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

³⁵ Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse <https://www.croydon.gov.uk/sites/default/files/articles/downloads/rep39.pdf>

hazardous materials or dangerous working conditions. They could have been deprived of food, sleep or kept in very poor conditions. Some women may be pregnant or have been forced to have an abortion

It is important to have a trauma informed approach to victim care as victims of modern slavery commonly experience poor mental health with high prevalence of post-traumatic stress disorder (PTSD), anxiety and depression.³⁶

- Legal advice: PVs are likely to need legal advice on compensation, criminal law, immigration, challenging wrongful NRM negative grounds decisions, custody of children, family law (for example if the father is the trafficker), housing, non-prosecution, welfare benefits, debts, community care, injunctions and other protective measures against perpetrators.
- Work options: access to employment and education is the route to longer term stability. Assess the support needs in the context of existing life skills, education, language skills, financial literacy, debt management and, if appropriate, planning for future employment.
- Children or dependants: in some cases the PV may also have children. They are likely to be concerned that their children may be removed from them, but this should only ever be a last resort and if this is what is in the child's best interest and there must be provision needs and assessments made to allow for trafficked parents to remain with their children where suitable.

A PV is unlikely to have disclosed much information at this point and as more information comes to light the care plan will need to be adapted.

7.3. Recourse to Public Funds³⁷

Haringey has a safeguarding duty under Section 42 of the Care Act 2014, and support should be initiated where there are concerns of risk, regardless of eligibility.

If a PV has recourse to public funds, remaining in the borough does not put them at risk and is using services in the local community, then the victim should be housed in the borough.

If the PV has no recourse to public funds and has agreed to go into the NRM and to be housed in a safe house, then accommodation and services may

³⁶ Public Health England, Modern Slavery and Public Health, <https://www.gov.uk/government/publications/modern-slavery-and-public-health/modern-slavery-and-public-health#fnref:5:2>

³⁷ Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, pg10

be provided by the Salvation Army. In certain cases of clear destitution or urgent need, this can be prior to an RG decision.

If the PV has no recourse to public funds and does not consent to the NRM or needs more time to agree to a referral into the NRM, then accommodation can still be provided by the local authority

8. Negative RG or CG Decisions

8.1. Negative Decision

If a victim receives a negative Reasonable Grounds decision, they will not enter VCC support and will exit emergency support.

Victims with a negative Conclusive Grounds decision are provided with 9 working days of move-on support.

A negative RG or CG decision may be due to lack of evidence, non-disclosure or other obstacles that many PVs face rather than due to a person not being a victim of modern slavery.

The PV may want to challenge the negative decision and they should be supported to do this.

8.2. Challenging Decisions³⁸

While there is no right to reconsideration, the referrer can submit a request for reconsideration by offering new additional evidence or raising concerns that the decision is not in line with published guidance.

Reconsiderations requests made on the basis of specific concerns that a decision is not in line with guidance should be brought within three months of a decision notice being issued by the Single Competent Authority subject to exceptional circumstances that may have caused reasonable delay.

There are no time limits on requests for reconsideration on the basis of new available evidence. Examples of evidence likely to be material to a case includes, but is not limited to, the following:

- Evidence from the police that the individual has been the victim of a crime of modern slavery
- A successful use of the section 45 defence in court

³⁸ Home Office, Modern Slavery Act 2015 – Statutory Guidance for England and Wales, 2020, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896033/July_2020_-_Statutory_Guidance_under_the_Modern_Slavery_Act_2015_v1.01.pdf

- Evidence that mitigates for inconsistencies in a potential victim's story, e.g. a medical report detailing inability to provide a coherent account
- Factual evidence that demonstrates that one of the conclusions drawn by the SCA is incorrect

A request for reconsideration may be made to the SCA by emailing nationalreferralmechanism@homeoffice.gov.uk . A request for reconsideration should include the following information:

1. Name of the individual in receipt of a negative decision
2. Date of birth
3. Nationality of the individual
4. NRM reference number
5. Basis of request i.e. 'not in line with guidance' or 'available evidence'
6. Reasons for the reconsideration request, including new available evidence where applicable

The PV should have their needs met whilst waiting for reconsideration. The PV can make a request to The Salvation Army for an extension of accommodation and support while a reconsideration request is underway.

If the reconsideration is refused, then the only route to challenge the decision of the SCA is through judicial review.

9. Post NRM Support

9.1. Exit Plan

Communication between Haringey and the Salvation Army should be maintained, as the safe house develops an exit plan for the victim.

A PV might choose to return to their old borough if they have familial, financial, diaspora or other links with that region. If this is the case, the multiagency meeting should look into what provisions they are able to supply the victim on their return to the borough post NRM.

The social worker allocated to the victim should create an exit plan for the victim. Any care plan should consider the following:

9.2. Accommodation³⁹

If the victim is a foreign national and has a positive CG decision and leave to remain granted with recourse to public funds, then they have recourse to funds and housing under the Housing Act.

As mentioned in previously, Haringey has a duty under Section 42 of the Care Act 2014 to provide support irrespective of eligibility.

If Homes for Haringey cannot provide any assistance, consider if the victim is eligible to enter asylum accommodation and signpost them to access services.

Whether they are eligible for support or not, refer them onto suitable specialist NGOs.

9.3. Immigration Support

It is important to emphasise the importance of PVs getting legal advice on their immigration status, which impacts their access to other services such as benefits and housing. They should also be advised on options around pursuing compensation.

Whilst receiving support VCC victims are on immigration bail, however a positive CG decision does not result in an automatic grant of immigration leave. Nonetheless, the SCA can consider whether a grant of Discretionary Leave (DL) to remain is appropriate following a positive CG decision. Non-EEA nationals will automatically be considered for a grant of DL (this will most likely change 01 January 2021).

³⁹ Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, pg24

DL will be considered if the victim has a positive CG decision, is not eligible for any other form of leave and either⁴⁰:

1. Leave is necessary owing to personal circumstances
2. Leave is necessary to pursue compensation
3. Victims who are helping police with their enquiries

Where victims do not have an active asylum claim they may be eligible to claim asylum. Victims with an active asylum claim will transition into asylum accommodation if they would otherwise be destitute and their needs can be met in asylum accommodation.

Non-British nationals referred into the NRM may wish to return home. This is known as 'voluntary return'. Ensuring that victims can return safely helps to reduce the risk of future exploitation.

A desire to return home is not a barrier to entering the NRM. Where victims express a desire to return, they should still be informed about the NRM and the immediate support available through it, including the option of a voluntary return.

9.4. **Health**

The support worker should provide the PV with information on how to engage with a GP surgery and on accessing benefits and other statutory and non-statutory support. In many cases, they may require the support worker to do this directly.

9.5. **Employment and Education**

The support worker should explore access to education, volunteering and employment as part of their survivor support plan, help survivors set realistic goals and take steps towards achieving their aspirations. Explore options with Job Centre Plus and Haringey Council Employment Services.

If the PV is a foreign national, make sure they can access ESOL classes to improve their English.

Schedule an appointment with the Jobcentre Plus as soon as possible to help survivors receive a National Insurance Number (NINO).

It can take a long time for a NINO to be issued, without which a victim will not be able to claim housing and/ or other benefits so the risk of them

⁴⁰ Home Office, Discretionary Leave Considerations for Victims of Modern Slavery, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739436/dl-for-victims-of-modern-slavery-v2.pdf, Pg 7

becoming homeless after when they exit the VCC should be considered and mitigated.

10. Bi-monthly check ups and re-assessments

The victim's exit and care plan should be regularly reviewed, and the PV contacted every two weeks for at least the following six months by their assigned social worker.

There should be a point of contact for the victim should they need to make contact in between these times.

The needs of the victim will fluctuate over time and their ongoing needs should be monitored. If a confirmed victim is facing destitution and other options have been exhausted the social worker can refer the victim back into the NRM⁴¹.

Figure 6. Areas to be considered when deciding on length of support⁴²



⁴¹ Confirmed victim of trafficking entitled to reinstatement of support after being exited from NRM June 09, 2020 , <https://atleu.org.uk/cases/2020/6/9/confirmed-victim-of-trafficking-entitled-to-reinstatement-of-support-after-being-exited-from-nrm>

⁴² Human Trafficking Foundation, Adult Modern Slavery Protocol For Local Authorities, pg25

Annex A: Child-specific indicators of modern slavery⁴³

Child victims may be identified in a range of contexts. They may be citizen or migrant children. Children who are victims of human trafficking or modern slavery may not show any obvious signs of distress or imminent harm. The following are some specific indicators of child exploitation:

Indicators of Child Victims	
<ul style="list-style-type: none"> • Have no access to their parents or guardians (although children may be living with their parents or guardians and still be exploited) • Look intimidated • Behave in a way that does not correspond with behaviour typical of children their age • Have no friends of their own age • Have no access to education • Have no time for playing • Live apart from other children and in substandard accommodation • Eat apart from other members of the "family" • Be given only leftovers to eat • Be engaged in work that is not suitable for children • Travel unaccompanied by adults • Travel in groups with persons who are not relatives 	<p>The following might also indicate that children have been trafficked:</p> <ul style="list-style-type: none"> • The presence of child-sized clothing typically worn for doing manual work or forced prostitution • The presence of toys, beds and children's clothing in inappropriate places such as brothels and factories • The claim made by an adult that he or she has "found" an unaccompanied child • The finding of unaccompanied children carrying telephone numbers for calling taxis • The discovery of cases involving illegal adoption

Indicators of County Lines cases for children	
<ul style="list-style-type: none"> • Persistently going missing from school, home, care, being found out-of-area and/or children travelling to locations they have no obvious connections with, including seaside or market towns; • Unwillingness to explain their whereabouts; • Unexplained acquisition of money, clothes, accessories or mobile phones which they are unable to account for; 	<ul style="list-style-type: none"> • Relationships with controlling/older individuals or groups; • Leaving home/care without explanation; • Suspicion of physical assault/unexplained injuries; • Parental concerns; • Carrying weapons; • Significant decline in school results/performance; • Gang association or isolation from peers or social networks;

⁴³ Home Office, Modern Slavery Act 2015: statutory guidance for England and Wales, 2020, page 66, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875281/March_2020_Statutory_Guidance_under_the_Modern_Slavery_Act_2015.pdf

<ul style="list-style-type: none"> • Excessive receipt of texts/phone calls and/or having multiple mobile phone handsets and/or sim cards; • Withdrawal and/or sudden change in personality/behaviour and/or language used; 	<ul style="list-style-type: none"> • Self-harm or significant changes in emotional well-being.
---	---

Unaccompanied or accompanied children

Some children arrive in the UK accompanied by adults who are either not related to them or in circumstances which raise child protection concerns. For example, there may be:

- No evidence of parental permission for the child to travel to the UK or stay with the adult
- Little or no evidence of any pre-existing relationship with the adult or even an absence of any knowledge of the adult
- Evidence of unsatisfactory accommodation in the UK

Children travelling unaccompanied by adults or with an adult who is not their parent should not be assumed to be victims of modern slavery just based on this factor alone. Frontline staff should make additional enquiries as appropriate which might establish whether or not any indicators of modern slavery are present.

Annex B: Duties Under the Care Act 2014⁴⁴

Duties under the Care Act include but are not limited to:

1. A duty to promote well-being, including a person's personal dignity, physical and mental health emotional well-being and their participation in work, education, training or recreation, and to have regard to the need to protect a person from abuse and neglect
2. General duty to provide services to prevent, or delay, the development of needs for care and support
3. Duty to assess regardless of the authorities' view of the level of an adult's need for care and support; and regardless of the level of the adult's financial resources
4. Regulation 5 of the Care Act Regulations notes that "A local authority must ensure that any person carrying out an assessment...is appropriately trained [and]...must consult a person who has expertise in relation to the...circumstances of the individual...being assessed [where required]."
5. There is a duty under the eligibility criteria to provide care and support when the adult's needs arise from or are related to a physical or mental impairment or illness, and as a result of the adult's needs the adult is unable to achieve two or more specified outcomes.
6. Providing eligibility criteria are met, a duty to meet the adult's needs for care and support
7. A duty to make enquiries and safeguard adults at risk of abuse or neglect
8. A duty to provide independent advocacy
9. Section 19 of the Care Act provides a power to meet needs for care and support in relation to which no duty arises.

⁴⁴ Local Authorities Modern Slavery Protocol, <https://www.humantraffickingfoundation.org/modern-slavery-protocol#:~:text=Modern%20Slavery%20Protocol%20Together%20with%20the%20London%20Working,the%20identification%20and%20support%20offered%20to%20adult%20survivors.>

Annex C

Criteria for needs assessment

A complete Needs Assessment should include the following key areas:

- physical and sexual health needs;
- psychological and emotional needs;
- cultural and spiritual needs;
- practical needs;
- legal advice and representation needs;
- other advice and assistance needs;
- welfare and subsistence needs;
- longer term support needs in the context of existing life skills, education, language skills, financial literacy, debt management and, if appropriate, planning for future employment.

Criteria for risk assessment

It is important to work with survivors to identify key areas of concern and put in place a safety plan which works to mitigate the following risks:

- Risk from traffickers or their associates.
- Any physical, sexual or mental health issues.
- Risk of self-neglect.
- Risk of suicide.
- Risk of self-harm.
- Any substance misuse.
- Any risk-taking behaviours, including contacting traffickers.
- Risk of harm to others.
- Any spiritual abuse.
- Risk of the victim leaving accommodation without notifying staff.
- Managing risk after leaving the service/ following identification.
- Risk on return to place of origin